

Message Text

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ACTION STR-04

INFO OCT-01 ARA-06 NEA-10 IO-13 ISO-00 STRE-00 AGRE-00
CEA-01 CIAE-00 COME-00 DODE-00 EB-08 FRB-03 H-01
INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01
AID-05 SS-15 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02
FEAE-00 OMB-01 OIC-02 AF-08 EA-07 EUR-12 /132 W
-----041738Z 054306 /47

P R 041626Z APR 77
FM USDEL MTN GENEVA
TO SECSTATE WASHDC PRIORITY 2378
INFO ALL OECD CAPITALS
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY MEXICO
AMEMBASSY NEW DELHI

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ACTION STR

H PASS CODEL

E.O. 11652: N/A
TAGS: ETRD, MTN
SUBJ: GROUP AGRICULTURE MEETING, MARCH 29-30, 1977

REF: MTN GENEVA 1995

1. SUMMARY: GROUP AGRICULTURE INITIATED ITS REVIEW OF
THE APPLICABILITY OF THE DRAFT STANDARDS CODE IN A
BUSINESS-LIKE FASHION. EC SOMETIMES CONFUSED DEBATE
WITH EXTRANEIOUS COMMENTS, BUT DID NOT DISRUPT MEETING.
MOST DELS AGREED THAT A STANDARDS CODE SHOULD COVER
AGRICULTURAL PRODUCTS. EC-US HAD LOW-KEY EXCHANGE
ON US NOTIFICATIONS OF AGRICULTURAL PRODUCTS UNDER NTM
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PARENT GROUP PROCEDURES AND ISSUE NOT PURSUED. END
SUMMARY.

2. AS PER 7 PLUS 7 SCENARIO (REFTEL), GROUP AGREED WITH
CHAIRMAN'S (PATTERSON) SUGGESTION TO DISCUSS GENERAL
QUESTIONS ON THE APPLICABILITY OF THE DRAFT CODE TO
AGRICULTURAL PRODUCTS AND THEN ENGAGE IN A SECTION BY

SECTION REVIEW. ALL PARTICIPANTS AVOIDED QUESTIONS OF A PROCEDURAL NATURE.

3. IN OPENING REMARKS, US, JAPAN, ARGENTINA, BRAZIL, ISRAEL, NEW ZEALAND, AUSTRALIA, ROMANIA, EGYPT, ANDEAN, MEXICO AND INDIA GENERALLY SUPPORTED NOTION THAT A STANDARDS CODE SHOULD COVER AGRICULTURAL PRODUCTS. NORDICS (STALBERG) CLAIMED THEY HAD WORKED ON CODE WITH PRESUMPTION THAT IT WOULD EVENTUALLY COVER AGRICULTURAL PRODUCTS. EC (JACQUOT) STATED THAT THEY HAD AN "OPEN MIND" ON THE ISSUE. THE EC OBSERVED THAT NO ONE HAD EVER CLAIMED THAT AGRICULTURAL PRODUCTS NOT BE COVERED BY THE CODE.

4. ON KEY ISSUE OF WHETHER PROCESSING AND PRODUCTION METHODS AS THEY RELATE TO PRODUCTS ARE TO BE COVERED BY CODE, AUSTRALIA, NEW ZEALAND, EGYPT, AND ARGENTINA STRONGLY SUPPORTED THE INCLUSION OF THESE ELEMENTS IN THE CODE SINCE THEY FREQUENTLY CREATE TRADE BARRIERS. NORDICS CAUTIONED THAT INCLUDING THESE ELEMENTS WOULD HAVE FAR-REACHING CONSEQUENCES FOR CODE AND THAT TECHNICAL DIFFICULTIES WOULD ARISE IN DETERMINING WHEN THEY AFFECT THE CHARACTERISTICS OF A PRODUCT. US CALLED ATTENTION TO ITS PROPOSAL FOR INCLUSION OF PROCESSING AND PRODUCTION METHODS IN THE CODE.

5. SEVERAL DELEGATIONS RAISED A NUMBER OF TECHNICAL PROBLEMS FOR CONSIDERATION. US (KELLY) AND BRAZIL (MEDEIROS) WERE ONLY DELS THAT HAD NO SUBSTANTIVE LIMITED OFFICIAL USE

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PROBLEM WITH THE APPLICABILITY OF DRAFT CODE'S TEXT TO AGRICULTURAL PRODUCTS. JAPAN (UENO), NEW ZEALAND, NORDICS AND EC EXPRESSED CONCERN THAT THE PROVISIONS OF THE DRAFT CODE MIGHT RESULT IN DUPLICATION OF WORK PERFORMED BY OTHER INTERNATIONAL STANDARDS ORGANIZATIONS, PARTICULARLY IN THE AREAS OF NOTIFICATION, CONSULTATION, AND DISPUTE SETTLEMENT. NORDICS ASSERTED THAT SINCE CODEX ALIMENTARIUS IS COMPOSED OF GOVERNMENT REPRESENTATIVES IN CONTRAST TO THE ISO, WHICH CONTAINS PRIVATE MEMBERSHIP, THERE MAY BE A POSSIBLE OVERLAPPING OR CONFLICTING OBLIGATIONS ASSUMED BY GOVERNMENTS IN THE DRAFT CODE. NEW ZEALAND, AUSTRALIA, AND JAPAN CITED SPECIAL CHARACTERISTICS OF ANIMAL AND PLANT QUARANTINE SYSTEMS THAT MIGHT MAKE IT DIFFICULT TO OBSERVE THE CODE'S OBLIGATIONS. JAPAN EXPRESSED DOUB THAT SUCH SYSTEMS COULD MEANINGFULLY BE COVERED BY THE CODE'S DISCIPLINE, AND NEW ZEALAND AND AUSTRALIA ARGUED FOR RIGOROUS NATIONAL CERTIFICATION/INSPECTION PROCEDURES AND DISCRIMINATORY TREATMENT OF IMPORTS.

6. CANADA (DENIS) GAVE POINT BY POINT RESPONSE TO MOST OF THE TECHNICAL ISSUES RAISED, ILLUSTRATING HOW THE CODE EFFECTIVELY HANDLES THESE ISSUES AND ASSERTING THAT NO SERIOUS PROBLEMS HAD YET BEEN SURFACED. THE US AGREED WITH CANADA AND STRESSED THAT THE DRAFT CODE WOULD IN EFFECT GIVE A BOOST TO THE ACTIVITIES OF INTERNATIONAL AGRICULTURAL STANDARDIZING ORGANIZATIONS.

7. THE EC INDICATED THAT IT WAS REVIEWING THE DRAFT CODE WITH THREE THOUGHTS IN MIND: 1) COVERAGE OF THE CODE, 2) WHETHER CODE ADVANCES NEW SOLUTIONS TO ADDRESS PROBLEMS OF TRADERS IN AGRICULTURAL PRODUCTS, AND 3) WHETHER CODE'S OBLIGATIONS WOULD INTERFERE WITH BILATERAL AND/OR MULTILATERAL AGREEMENTS, AND HOW THESE OBLIGATIONS WOULD RELATE TO PROVISIONS OF GATT ARTICLES III, XI:2(B) AND XX.

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ACTION STR

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EC RAISED THE PROSPECT OF POSSIBLE ADDITIONS TO THE DEFINITION SECTIONS IN ORDER TO TAKE INTO ACCOUNT EXISTING DEFINITIONS IN CERTAIN INTERNATIONAL AGRICULTURAL STANDARDS BODIES. THE DISCUSSIONS WERE ENLIVENED WHEN JACQUOT OF THE

EC SHARPLY CRITICIZED SOME DRAFTING ASPECTS OF THE STANDARDS CODE AND WAS REBUTTED IN THE OPEN MEETING BY THE EC STANDARDS REPRESENTATIVE (SCHLOSSER).

8. THE LDC'S STRESSED THE IMPORTANCE OF THE CODE FOR THEIR AGRICULTURAL TRADE, THE NEED FOR S AND D TREATMENT, AND FOR INCREASED PARTICIPATION BY THEM IN INTERNATIONAL STANDARDIZING BODIES. HOWEVER, EMPHASIS ON S AND D WAS LIMITED AND LOW KEY.
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9. FURTHER STANDARDS WORK: GROUP AGREED THAT THE SECRETARIAT SHOULD DRAW UP A WORKING DOCUMENT OF THE MAJOR POINTS RAISED AT THE MEETING AND INVITED PARTICIPANTS TO MAKE WRITTEN CONTRIBUTIONS TO THAT DOCUMENT. THE GROUP ALSO REQUESTED THE SECRETARIAT TO PREPARE A NOTE SETTING OUT OBLIGATIONS IN EFFECT IN SELECTED REGIONAL AND INTERNATIONAL STANDARDS BODIES AS REGARDS NOTIFICATION, CONSULTATIONS AND DISPUTE SETTLEMENT PROCEDURES, IF ANY, AND PREPARE A LIST OF INTERNATIONAL AND REGIONAL AGRICULTURAL PRODUCT STANDARDS FALLING UNDER THE DEFINITIONS BEING USED IN THE DRAFT STANDARDS CODE. THE GROUP ALSO AGREED THAT THE REVIEW OF THE DRAFT STANDARDS CODE WOULD BE ON THE AGENDA FOR THE NEXT GROUP MEETING.

10. US AGRICULTURAL NOTIFICATIONS UNDER NTM/NDWM PROCEDURES: THE EC RECITED ITS OBJECTIONS RECORDED IN MTN/AG/W/18 TO THE US NOTIFICATION OF NON-TARIFF MEASURES ON AGRICULTURAL PRODUCTS UNDER THE PROCEDURES OF THE NTM PARENT GROUP. US (KOENIG) GAVE LOW-KEY, BUT FIRM RESPONSE CITING WELL-KNOWN VIEWS ON THIS ISSUE AND REGISTERING ITS DISAGREEMENT WITH THE EC'S INTERPRETATION OF THE MATTER. THE ISSUE WAS NOT PURSUED.

11. AUSTRALIAN PROPOSAL: AUSTRALIA (FOGARTY) URGED THE GROUP TO GET DOWN TO BUSINESS AND HAVE ANOTHER MEETING BEFORE THE SUMMER RECESS, IN PARTICULAR TO REVIEW THE OUTSTANDING AUSTRALIAN PROPOSAL (MTN/AG/W/14). MANY DELS, INCLUDING THE EC, EXPRESSED WILLINGNESS TO HOLD ANOTHER GROUP AGRICULTURE MEETING BEFORE THE SUMMER BREAK. THE GROUP AGREED THAT ANOTHER MEETING BE HELD BEFORE THE SUMMER RECESS AND THAT THE AGENDA WOULD BE DRAWN UP BY THE SECRETARIAT IN CONSULTATION WITH DELEGATIONS.

12. COMMENT: IN THE DISCUSSION ON THE DRAFT STANDARDS
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CODE, MOST TECHNICAL ISSUES RAISED REFLECTED THE
SENSITIVITY AND CONCERN OF MANY COUNTRIES TO SUBMIT
THEIR AGRICULTURAL PRODUCTS TO INTERNATIONAL DISCIPLINE,
RATHER THAN FUNDAMENTAL TECHNICAL DIFFICULTIES WITH THE
DRAFT CODE'S PROVISIONS. END COMMENT.WALKER

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